



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/642,928	08/22/2000	Guy Nathan	871-88	1262
23117	7590	09/14/2006	EXAMINER	
NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203			LONSBERRY, HUNTER B	
			ART UNIT	PAPER NUMBER
			2623	

DATE MAILED: 09/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/642,928

Applicant(s)

NATHAN ET AL.

Examiner

Hunter B. Lonsberry

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 June 2006.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9 and 11 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☐ Claim(s) 9 and 11 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/24/05.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 9 and 10 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sampat et al (5,557,724) and U.S. Patent 5,481,509 to Knowles.

Regarding Claim 9, Sampat shows a method of operating a home digital audiovisual information recording and playback apparatus (col. 4 lines 40-60, col. 5 lines 25-35, user selected viewing channel, col. 13 lines 38-62, client receiving data and playing or recording), the apparatus having a set of electronic circuits managed by a central processor using a multitask operating system (col. 4 lines 53-60, Microsoft Windows operating system), the method comprising displaying menus with user-selectable system operation options (fig. 2-9, col. 4 lines 47-53, user interface with options, col. 5 lines 40-62, program guide), enabling a

Art Unit: 2623

selection of desired audiovisual information for reproduction (col. 5 lines 24-62, col. 6 lines 1-10, program guide allowing selection of media), effecting payment for the desired audiovisual information (col. 5 lines 63-67, col. 6 lines 1-2, credit card information), inputting a user personal identification number (col. 5 lines 55-61, entering personal password), downloading from a main server the desired audiovisual information only after payment has been effected and a valid personal identification number has been supplied (col. 7 lines 48-65, transmits digital data packets over network for receipt by client, col. 13 lines 40-58, network interface of client receives data packets), and using the multitask operating system to reproduce audiovisual information during the downloading (col. 13 lines 58-63, col. 14 lines 23-25, concurrent playing of data while storing).

Sampat fails to teach the use of a touch screen, a karaoke mode being accessible through a specific button to be touched on the touch screen, and using an audio control circuit as a D/A converter in order to receive a signal from the microphone connected to a microphone input connector for enabling karaoke to be preformed.

Knowles discloses an audio video jukebox with touch screen capability (figure 1, column 3, lines 9-13, column 4, lines 7-12), a user may enable karaoke via the touch screen menu (figure 4a, 5, column 8, lines 23-35) thereby providing an easy to use interface, a microphone 88 is coupled to an audio amplifier 76 which is in turn coupled to the output of a decoder board (figure 2) which outputs the audio signal from an audio CD having been converted from a digital to analog

signal (column 4, lines 34-62), the audio amplifier combining the signal from the microphone with the CD audio (column 5, lines 1-11). A rotating sign board may be used to attract customers (column 4, lines 13-22).

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify Sampat to utilize the touch screen, karaoke, and rotating sign board as taught by Knowles for the advantages of providing an easy to use interface, and attracting customers via the rotating sign board.

Regarding Claim 10, Sampat shows the use of a variety of buffers for storing sound data and video data (col. 17 lines 5-67, col. 18 lines 35-55, recycle buffer, net post buffer, write buffer, variety of buffer commands for reading and writing multiple packets of audio/video data).


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hunter B. Lonsberry whose telephone number is 571-272-7298. The examiner can normally be reached on Monday-Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2623

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


HBL Hunter Lonsberry
Patent Examiner
Art Unit 2623